

Leader

An important contribution to research on fisheries law and law of the sea

In 2013, *The K. G. Jebsen Centre for the Law of the Sea* was established at the University of Tromsø, the Arctic University of Norway, with the objective of assessing how international instruments that are part of the law of the sea, as well as their national implementation, are able to ensure sustainable development and peaceful utilization of seas and oceans in the 21st Century.

The establishment of The K. G. Jebsen Centre for the Law of the Sea is an important contribution to the research on fisheries law and law of the sea, both for the University of Tromsø specifically, and, perhaps more importantly, the entire area of Arctic research. This issue of *Arctic Review on Law and Politics* is therefore dedicated to the The K. G. Jebsen Centre. It is filled with articles that contribute to the research goals of the Centre, particularly on fisheries law, including protection of indigenous coastal fisheries, national and multinational management of fish stocks, and assessment of compensation for environmental damages – contrasting the results for the fishery industry with those of the local natives.

In this issue:

Carsten Smith analyzes the protection of Sea Sámi fisheries based on international law, where he discusses the protection of the culture laid down in UN Covenant on Civil and Political Rights article 27, with the intention of delimiting the area of opposing arguments in order to define any future legal battleground.

Claire W. Armstrong, Arne Eide, Ola Flaaten, Knut Heen and Inga Wigdahl Kaspersen review management approaches applied in the 20 years following one of the most severe crises in the Northeast Arctic cod fishery, emphasizing management strategies and measures carried out to ensure a successful rebuilding of the fishery, both biologically and economically, and focusing on possible improvements related to management, legitimacy, and economic issues.

John Duffield, Chris Neher and David Patterson examine the natural resource damages litigation that arose from the 1989 *Exxon Valdez* oil spill, by comparing the outcomes of the federal trial with the evidence. Since commercial fishermen and Alaska natives were the two main plaintiff groups, this case provides an interesting side-by-side comparison of a market and a nonmarket sector that both utilize the same raw resource base – the fisheries of Prince William Sound and the Gulf of Alaska – but receive rather different economic compensation for the torts.

Geir Hønneland analyzes common Norwegian-Russian Fisheries Management in the Barents Sea, worked out by the Joint Norwegian-Russian Fisheries Commission. He presents the major precautionary regulatory measures adopted by the Commission, including precautionary reference points for spawning stocks and fish mortality, harvest control regulations for quota settlement, and various enforcement initiatives with a particular focus on Norwegian-Russian collaboration, and on how Norway has bargained with Russia for precautionary management measures.

Helgi Grétarsson and Rannvá Danielsen analyze the Faroese effort quota management system in force since 1996. A combined legal and policy analysis reveals that the existing entry/exit permit system has failed to restrain effort capacity sufficiently, that the most important demersal fish stocks are in a poor state, and as a result the domestic fishing fleet is not performing well financially – pointing out a need for altering the current management system, or even adopting a new one.

We also found it appropriate to publish an article that does not fall under the topic of fishery law, as it contributes to an on-going academic debate in Finland. *Antti Aikio and Mattias Åhrén* enter into the debate on the legal definition of Sámi in Finland, by challenging other scholars who claim that the current, law-based definition of Sámi in Finland is too narrow. The authors examine these arguments critically, pointing out certain legal parameters that the discussion needs to follow in order to comply with international law.

In addition, we received a very topical debate article on the conflict over Crimea. The development of the Crimea is also significant for cooperation in the Arctic, which implies that this debate also belongs on the pages of *Arctic Review on Law and Politics*.

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